

Message Text

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ACTION L-03

INFO OCT-01 IO-13 ADP-00 AF-10 ARA-16 EA-11 EUR-25 NEA-10

RSC-01 COA-02 EB-11 OIC-04 CIAE-00 DODE-00 PM-07 H-03

INR-10 NSAE-00 NSC-10 PA-03 PRS-01 SS-15 USIA-12

ACDA-19 AEC-11 AGR-20 CG-00 COME-00 DOTE-00 FMC-04

INT-08 JUSE-00 NSF-04 OMB-01 TRSE-00 RSR-01 /236 W

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TAGS: PBOR, UN

SUBJ: LOS: WORKING GROUP OF SUBCOMMITTEE I

MEETING JULY 13

1. WG COMPLETED CONSIDERATION OF POWERS AND FUNCTIONS OF ASSEMBLY REGARDING AMENDMENT TO TREATY ARTICLES, CONSIDERATION OF GENERAL QUESTIONS RELATING TO EXPLOITATION OF THE AREA, DELEGATION OF POWERS, RECOMMENDATIONS ON INTERNATIONAL COOPERATION, AND APPROVAL AND RECOMMENDATIONS ON DRAFT CONVENTIONS.

2. THERE WAS SOME DEBATE ON PROVISION DEALING WITH POWER OF ASSEMBLY TO CONSIDER GENERAL QUESTIONS RELATING TO EXPLOITATION OF THE AREA. SOME LDC REPS PROPOSED AMENDMENTS WHICH WOULD GIVE ASSEMBLY BROAD POWERS OVER EXPLOITATION. PERU REP INFORMED WG THAT COSPONSORS OF 13-POWER LATIN AMERICAN SEABED TREATY HAD SUBMITTED TO SECRETARIAT WORKING PAPER ON ENTERPRISE WHICH WOULD DIRECTLY AFFECT THIS PROVISION. HE STATED THAT ASSEMBLY SHOULD DETERMINE POLICY AND

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LAY DOWN CONDITIONS GOVERNING EXPLORATION AND EXPLOITA-

TION OF THE RESOURCES OF AREA AND ANY CONTRACTS OR ASSOCIATIONS AND/OR JOINT ENTERPRISES ENTERED INTO BY ENTERPRISE. PERU PROPOSED SPECIFIC ALTERNATIVE LANGUAGE FOR THIS TEXT. THE US REP NOTED THAT THE ISSUE RAISES FUNDAMENTAL QUESTION WHICH CANNOT BE EASILY SETTLED IN ALTERNATIVE TEXTS. HE NOTED US DRAFT TREATY CONTAINED COMPREHENSIVE PROVISIONS FOR EXPLOITATION POLICY. IN ADDITION US HAD ATTACHED 2 APPENDICES AS EXAMPLES OF TYPE OF DETAILED RULES AND REGULATIONS FOR EXPLOITATION WHICH US CONSIDERS MUST BE IN FINAL TREATY. TO EXTENT THAT DETAILED RULES OF TREATY HAVE TO BE CHANGED, US FURTHER PROPOSED ELABORATE SYSTEM FOR THIS. US REP SAID US WOULD NOT BE CONTENT WITH TREATY WHICH GIVES COMPLETE POWER TO ASSEMBLY TO DICTATE POLICY ON RESOURCE MANAGEMENT AFTER TREATY IS SIGNED. HE STRESSED THAT RESOURCE MANAGEMENT SCHEME IS WHAT WG IS TRYING TO NEGOTIATE. ALTHOUGH US SUBSTITUTE FOR PARAGRAPH 12 COULD REPRESENT LARGE SHARE OF US DRAFT TREATY, IN THIS CASE US REP SAID HE WOULD ONLY SUBMIT EXPLANATORY FOOTNOTE, SIMILAR TO THAT ATTACHED TO ARTICLE 9 OF DRAFT REGIME PAPER, WHICH WOULD REMIND EEX# WG MUST AT SOME TIME DECIDE HOW TO INCLUDE THESE RULES IN TREATY.

3. WG HAD PROLONGED DEBATE ON WHETHER AND TO WHAT DEGREE ASSEMBLY COULD DELEGATE POWERS AND FUNCTIONS TO ITS SUBSIDIARY ORGANS. USSR REP OPPOSED POSSIBILITY OF DELEGATION OF POWERS FROM ASSEMBLY WHILE MALTA AND CANADA THOUGHT PROVISION UNNECESSARY AS IT IS UNDERSTOOD THAT ANY BODY WITH POWERS CAN DELEGATE SUCH POWERS.

4. CHILE REP, RESPONDING TO US STATEMENT ON NEED FOR RULES IN TREATY, SAID IF US SUBMITS FULL SET OF RULES, CHILE RESERVES ITS RIGHT TO SUBMIT A FULL SET OF ITS OWN RULES. HE STATED THAT HE HAD ASSUMED THAT APPROPRIATE ORGANS OF AUTHORITY WOULD DETERMINE RULES AND COMPLAINED THAT TO SET OUT RULES IN THE TREATY ITSELF WOULD BE TIME CONSUMING AND WOULD HAVE TO BE DONE WITHOUT BENEFIT OF EXPERIENCE

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WHICH AUTHORITY WILL GAIN THROUGH ACTUAL MANAGEMENT OF EXPLOITATION.

5. MOST SPEAKERS OBJECTED TO PROVISION ON POWER OF ASSEMBLY IN CONNECTION WITH INTERNATIONAL COOPERATION ON GROUNDS IT EXCEEDS ITS AUTHORITY. US REP STATED THAT ASSEMBLY'S POWERS IN THIS AREA SHOULD BE MORE COMPREHENSIVE AND PROPOSED IT HAVE THE POWER

TO CONSIDER ANY MATTER WITHIN SCOPE OF CONVENTION
AND MAKE RECOMMENDATIONS TO COUNCIL OR CONTRACTING
PARTIES. UK REP OPPOSED ANY PROVISION OF THIS
NATURE AT ALL.

BASSIN

NOTE BY OCT: #AS RECEIVED, WILL SERVICE UPON REQUEST.

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